

TOWN OF HEBRON  
SELECT BOARD MEETING MINUTES  
JUNE 16, 2016

PRESENT: Patrick Moriarty, John Dunklee, Ellie Lonske, and Karen Corliss, Town Administrator

OTHERS PRESENT: Parker Griffin, Camille Bharucha, Travis Austin (Police Chief), Martha Twombly (Conservation Commission Chair), Rick Evans (NH Department of Revenue Administration Timber Appraiser), Suzanne Smith (State Representative), Jason Stock (NH Timberland Owners Association, Executive Director)

7:00 P.M. **PUBLIC HEARING TO EXPEND FUNDS FROM THE GOVERNMENT BUILDING REPAIR AND THE DRY HYDRANT CAPITAL RESERVE FUNDS:** Chair Moriarty opened a public hearing to discuss expending funds from the Government Building Repair Capital Reserve Fund and the Dry Hydrant Capital Reserve Fund. Chair Moriarty relayed to the audience that the town was looking to withdraw funds expended on repairing the exterior lighting at the Public Safety Building from the Government Building Repair Capital Reserve Fund. The cost of the project was \$4,194. Vice-Chair Dunklee moved to expend the funds from the Government Building Repair fund to cover the cost of replacing exterior lighting at the Public Safety Building, seconded by Member Lonske. The vote was unanimous.

Chair Moriarty informed the audience that the Board was working on two dry hydrant projects to be able to provide the Fire Department with water sources throughout the town. The Board just received permission from the landowner authorizing the town and its agents to access the location to perform the necessary work for developing engineering plans for the second dry hydrant location on North Shore Road. This hearing is to expend funds from the Dry Hydrant Capital Reserve Fund. Member Lonske moved to withdraw funds from the Dry Hydrant Capital Reserve Fund for the North Shore Road dry hydrant, seconded by Vice-Chair Dunklee. The vote was unanimous.

Member Lonske moved to close the public hearing at seven 7:02 PM, seconded by Vice-Chair Dunklee. The vote was unanimous.

7:03 P.M. **NOTICE OF INTENT TO CUT – LIMITED EDITIONS PROPERTIES:** Chair Moriarty asked the guest to introduce himself and state the reason that he was meeting with the Board. Rick Evans from the New Hampshire Department of Revenue Administration (NH DRA), Timber Tax Appraiser, introduced himself and informed the audience and the Board that he was here representing the NH DRA. Mr. Evans asked the Board for the reasons why they had refused to sign a Limited Editions Properties Notice of Intent to Cut form. Member Lonske relayed to Mr. Evans that the Planning Board went to Supreme Court twice on a subdivision for this property. Member Lonske informed Mr. Evans that the Board had refused to sign the Notice of Intent to Cut form for the same reasons that the subdivision never went through on this property due to steep slopes and to prevent erosion from ending up in Newfound Lake. Member Lonske also reported that this operation was a major concern as an environmental issue to the Select Board and the property owners below on the other side of the road. Chair Moriarty reported the two people that signed the Notice of Intent to Cut form had done a job on the other side of Hebron. The damage done to property still had open violations from the NH Department of Environmental Services (NH DES) due to wetlands violations.

Mr. Evans stated that he was not here in defense of anyone, but the notification to the town to harvest timber on one's property was used for generating tax revenue for the town only. Mr. Evans noted that any violations would be handled by the NH DES and the Division of Forests and Lands. The Notice of Intent to Cut form and the enforcement of the logging operation were separate and independent of one another. Mr. Evans informed the Board that even though the Notice of Intent to Cut form was not signed; the property owner still was not able to start the operation.

Member Lonske stated that she had concerns with the process since the State of New Hampshire was not able to address any issues unless they had already happened. Member Lonske stated that she knows the erosion issues are going to happen due to the slope of the property. Vice-Chair Dunklee relayed to Mr. Evans that any erosion that happens in the lake causes the town to lose water frontage resulting in a reduction to assessment values. Once the damage has been done, the damage cannot be undone. Mr. Evans informed the Board that he was here to relay the laws to the Board, and that's it.

Suzanne Smith introduced Jason Stock, the Executive Director from the New Hampshire Timberland Owner's Association.

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Mr. Evans relayed to the Board that NH DES and forest rangers couldn't address any issues before they occur.

Chair Moriarty relayed to Mr. Evans that the same loggers proposing to do the timber harvesting on this lot had done another operation in Hebron where there are still outstanding violations issued by NH DES that have not been fixed. Mr. Evans relayed to Chair Moriarty that a letter should be sent to NH DES to let them know that the violations are still outstanding and inquire about the measures that would be taken to ensure that this gets resolved. Parker Griffin informed Mr. Evans that the person responsible for enforcing the Best Management Practices works for the NH Division of Forest and Lands and he also works privately as a forester. Mr. Griffin informed Mr. Evans that this individual uses other people to sign the Notice of Intent to Cut forms. Mr. Griffin expressed concerns with this gentleman as a forester for the NH Division of Forest and Lands, who is hired to enforce best management practices, but does not follow them on his own jobs. Mr. Evans relayed to the Board that a letter should be sent to the licensing board of foresters about these concerns.

Chair Moriarty relayed to Mr. Evans that the Board also has concerns where no plans were given as to the access to remove the timber from the lot. Vice-Chair Dunklee stated that this property was logged about 20 years ago, but he has heard that the same road would not be used for this cut.

Member Lonske thanked Mr. Evans for his good advice, but still agreed the process was not good. Mr. Evans reviewed with the Board the reasons in which they could refuse to sign the Notice of Intent as follows: a tax lien on property, all owners of record have not signed the intent, the land was classified under the current use unproductive category, or the intent was not filled out correctly. If all of the reasons to hold the intent have been satisfied, the Select Board must sign the intent and forward to NH DRA within 30 days from the date of receipt. Mr. Evans made the comparison regarding the building permit process, stating that the Board could not hold up a building permit just because the contractor does poor work. Vice-Chair Dunklee informed Mr. Evans that the Board cannot issue a cease-and-desist if the Best Management Practices are not followed. Vice-Chair Dunklee stated that if a building permit were issued in the town and there were building violations; the Board could issue a cease-and-desist and the job would stop.

Member Lonske asked Mr. Evans for the NH DRA to be patient, and allow the Board to get all of their questions answered. Mr. Evans relayed to the Board that they are very likely to be sued over this from the landowner for a lost opportunity for income and not able to do what they would like with their own property or be sued by the logger for lost income. Mr. Stock relayed to the Board that he feels they are mixing apples and oranges by not signing this Notice of Intent to Cut due to potential hazards or violations on the property. Mr. Stock relayed to the Board that this process had worked for many years. Mr. Stock informed the Board that its obligation to oversee taxation for revenue to the town; not to oversee the timber jobs. Member Lonske relayed to Mr. Stock that the voters think the Select Board has a job to protect the town in which they live. Mr. Stock informed the Board that he was working with Boyd Smith to set up some seminars reviewing the Notice of Intent to Cut process. Camille Bharucha added that the town was interested in the quality of the lake and was trying to do what they can to avoid polluting the lake as a result of lax rules. Suzanne Smith asked the Board if they had received any replies from the NH DES regarding the letter sent on May 21, 2016. Chair Moriarty replied that no responses were received. Member Lonske stated that the Board had spent enough time on this issue and thanked Mr. Evans for the information regarding the Notice of Intent to Cut process.

7:35 P.M. **ACTION ITEMS:**

- The Select Board signed the **accounting manifest**.
- The Board signed the **letter** addressed to Brad Simpkins, State Forester Director of Forest and Lands, Secretary New Hampshire Board of Forester's, Donald Windsor, Chair, New Hampshire Board of Forester's, Jeffrey Rose, Commissioner, Department of Resources and Economic Development, Tom Burack, Commissioner, Department of Environmental Services, Theodore Diers, Watershed Management Bureau, Department of Environment Services, Collis Adams, Wetlands Department of Environmental services, and Linda Magoon, New Hampshire Department of Environmental Services regarding the Board's reasons for not signing the Notice of Intent to Cut for Limited Editions Properties on West Shore Road in Hebron.
- Mrs. Corliss presented to the Board with the **grant application through the Land Community Heritage Improvement Program** as prepared by Member Lonske. This is for the work to be done on the Hebron Academy Building. Vice-Chair Dunklee moved to authorize Patrick Moriarty, Chair to sign the grant application as prepared for LCHIP, seconded by Member Lonske. The vote was unanimous.

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- Vice-Chair Dunklee moved to authorize Chair Moriarty to sign the **Agreement with William Robertie** for engineers representing the town to access the property to prepare plans for a dry hydrant on his property on North Shore Road, seconded by Member Lonske. The vote was unanimous.
- The Board signed the **letter to Carole Bears, Trustee of Trust Funds**, requesting that \$15,536 be deposited into the Road Emergency Repairs Capital Reserve Fund as voted at the March 12, 2016 Town Meeting. Mrs. Corliss relayed to the Board that this is in preparation for Casey Kuplin, Highway Supervisor, would be able to start work on George Road.
- The Board signed the **appointment letter for Patrick Moriarty** to the Transportation Advisory Committee with Lakes Region Planning Commission.
- The Board reviewed the Notice of Intent to Cut form for New England Forestry Foundations property on Wade Road. The Board signed the **Notice of Intent to Cut form** and requested that a road bond be posted before the logging operation starts. The Board asked Mrs. Corliss to obtain a figure for the bond from Casey Kuplin, Highway Supervisor.
- Member Lonske relayed to the Board that she had spoken with Vinnie Brodrick, Director of Camp Pasquaney, about **utilizing Favor Road to access Wade Road for emergency purposes**. Member Lonske informed the Board that she felt Casey Kuplin, Highway Supervisor, and Bill Robertie, Fire Warden, should have input on whether Wade Road access would be easier from Pike Hill Road or from Favor Road.
- The Board signed the **letter to Camp Pasquaney** regarding generous gift to help pay down the Hebron Town Forest loan.
- The Board reviewed the **abatement application submitted by Paul and Eileen Niejadlik** at the Crystal Springs Road and the recommendation to approve the application from Avitar Associates of New England Inc. Vice-Chair Dunklee moved to approve the abatement application as submitted by Paul and Eileen Niejadlik for their Crystal Springs Road property as recommended by Avitar Associates of New England Inc., seconded by Member Lonske. The vote was unanimous.
- Chair Moriarty and Member Lonske agreed to hold an **Emergency Lane public hearing on Berea Road down to the Camp Berea parking lot**. Vice-Chair Dunklee stated that he did not feel an Emergency Lane was necessary to the parking lot area. Chair Moriarty and Member Lonske signed the letters to the abutters of Berea Road regarding the public hearing to be held on Thursday, June 30, 2016 at 7 PM in the Selectmen's Office Building.

8:00 P.M.

**DISCUSSION ITEMS:**

- Chair Moriarty reminded the Board that a couple meetings ago he had inquired about the **line of credit posted by Radius Realty for Kill Mountain Road**. Chair Moriarty relayed to the Board that all of the criteria had been met for the line of credit at this time.
- Mrs. Corliss asked the Board what **account should be expensed to pay for Mark Braley to perform the beach clean-up**. The Board replied that the money should be expensed to the Beach Budget and it would be expected that the budget may be overspent this year due to the amount of clean-up required for the unordinary amount of leaves.
- Mrs. Corliss informed the Board that two software products she uses quite frequently in the office were out of date and inquired about **purchasing updated software**. Member Lonske asked Mrs. Corliss to check with Certified Computer Solutions to see if this was the best software available to perform these functions or if they would support this software product. The Board authorized Mrs. Corliss to move ahead with purchasing software to perform the tasks.
- Mrs. Corliss informed the Board that Alison York, Administrative Assistant, is a Justice of the Peace. Mrs. Corliss noted that the Police Department utilizes the services of a Justice of the Peace frequently for filing police reports. Mrs. Corliss asked the Board if they would cover the **cost for renewing Mrs. York's JP**. The Board agreed to cover the fees associated with the renewal.
- Mrs. Corliss informed the Board that Don and Doug Merrill had mentioned to John Dunklee about **filling in the sand area on the Hebron common**. Member Lonske felt that this was not an issue and should not be filled in since in a couple years the ground would be torn up due to construction. The Board agreed to leave the area as it was for now and felt that the Merrill's could go around this sandy area.

8:05 P.M.

**CORRESPONDENCE:**

- Mrs. Corliss reviewed the **photo of the signage used by other towns for Class VI Roads** warning anyone to pass at there own risk and asked that any damages caused to the road would be a violation of

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RSA 236:39 and the person would be subject to prosecution for the cost of repairs and or any third-party injury. The Board liked the wording on the signage and would like similar signs to be posted on the emergency lanes and any Class VI Road in Hebron.

- **Invitation from the Partners of the Central New Hampshire Health Partnership** to the First Annual Meeting on Wednesday, June 29, 2016.

8:09 P.M. **ANY OTHER BUSINESS:**

- Vice-Chair Dunklee moved to authorize Chair Moriarty to sign the **pre-buy contract with Yeaton Oil for #2 fuel oil as proposed**, seconded by Member Lonske. The vote was unanimous.
- Member Lonske informed the Board that she ran into **Casey Kuplin, Highway Supervisor, and discussed George Road and Cross Road**. Member Lonske relayed to the Board that Mr. Kuplin preferred that Cross Road be paved due to the amount of grading done each year on a very short amount of road. Member Lonske also noted that Mr. Kuplin felt that the difficult sections of George Road should be paved.
- Vice Chair Dunklee informed the Board that he had lunch at the **Fire Department with the Groton Select Board** the other day. Vice-Chair Dunklee relayed to the Board that Chief Fischer did a great job of explaining the services provided by the Fire Department and Ambulance Service to the Town of Groton. Vice-Chair Dunklee informed the Board that the Groton Select Board feels they are getting a good deal for the amount of money paid for the services provided.

8:13 P.M. **APPROVAL OF THE MINUTES:** The Select Board reviewed the Select Board Meeting minutes of May 26 2016. Vice-Chair Dunklee moved to accept the Select Board Meeting minutes of May 26, 2016 as written, seconded by Member Lonske. The vote was unanimous.

The Select Board reviewed the Select Board Meeting minutes of June 2, 2016 and made the following changes: page 1, second sentence - change "two the" to "two", ninth sentence, page 1- remove "but", 18th sentence remove "in" after "permission", towards the bottom of page one - change "full-time" to "year-round", four sentences from the bottom of page one - change the sentence to read "Phyllis Rockwell asked exactly what the Board is looking to do on the road.", and, page 3, under *Any Other Business*, second bullet, second sentence - remove "unaware that this fund existed". Member Lonske moved to approve the Select Board Meeting minutes of June 2, 2016 as amended, seconded by Vice-Chair Dunklee. The vote was unanimous.

8:15 P.M. **MEETING ADJOURNED:** Member Lonske moved to adjourn the meeting at 8:15 p.m., seconded by Vice-Chair Dunklee. The vote was unanimous.

Respectfully submitted,

Karen Corliss  
Town Administrator

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